

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**UNITED STATES' NOTICE REGARDING MEMORANDUM IN SUPPORT OF
ADMISSION OF DEFENDANT'S DOMESTIC VIOLENCE CONDUCT [D.E. 39]¹**

The United States of America, by and through the undersigned government attorneys, hereby withdraws its request for the admission of evidence regarding the Defendant's history of domestic violence against his wife, as set forth in its Memorandum in Support of Admission of Domestic Violence Conduct ("Memorandum"). Based upon the testimony and evidence at trial, the United States reserves its right to re-seek the admission of this evidence during trial. The United States continues to seek the admission of evidence regarding the Defendant's assault of his wife during the charged conduct, as set forth in the Memorandum.

Respectfully submitted,

STEVEN M. DETTELBACH
UNITED STATES ATTORNEY

BY: s/Michael A. Sullivan
Michael A. Sullivan
Assistant United States Attorney
U.S. Attorney's Office
801 West Superior Avenue, Suite 400
Cleveland, Ohio 44113-1852
Tel: (216) 622-3600

1 "Docket Entry" shall be referred to herein as "D.E."

BY: *s/Bonnie L. Kane*
Bonnie L. Kane
Trial Attorney
Child Exploitation and Obscenity Section
Criminal Division, U.S. Department of Justice
1400 New York Avenue, NW
Washington, D.C. 20530
Tel.: (202) 514-5780

Dated: August 24, 2013

CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2013, I caused the attached document to be electronically transmitted to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Donald Butler, Esq.
75 Public Square, Ste. 600
Cleveland, OH 44113

/s/ Bonnie L. Kane
Bonnie L. Kane